IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

SHIRLEY SMITH,

Plaintiff,

V.

CIVIL ACTION NO. H-03-5900

SEAN O'KEEFE, Administrator,

NASA,

Defendant.

FINAL JUDGMENT

For the reasons set forth in the separate Memorandum and Order signed this day, it is

ORDERED that Defendant Sean O'Keefe's Motion to Dismiss Pursuant to Rule 12(b)(1) (Document No. 29) and Motion for Summary Judgment (Document No. 30) are GRANTED, and Plaintiff Shirley Smith's case is DISMISSED.

This is a FINAL JUDGMENT.

The Clerk will enter this Order, providing a correct copy to all counsel of record.

SIGNED at Houston, Texas, on this 31st day of July, 2006.

UNITED STATES DISTRICT JUDGE